

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

SCION HOTELS LLC d/b/a HOLIDAY INN  
NEWARK AIRPORT,

Plaintiff,

v.

GREAT AMERICAN INSURANCE  
COMPANY,

Defendant.

Case No.: 2:22-cv-05034

**NOTICE OF MOTION TO DISMISS COUNTS II AND III OF THE COMPLAINT**

**PLEASE TAKE NOTICE** that on October 3, 2022, or as soon thereafter as counsel may be heard, the undersigned attorneys for defendant Great American Insurance Company (“Defendant”) shall move before the Honorable Susan D. Wigenton, U.S.D.J., at the Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, New Jersey 07101 for an Order dismissing Counts Two and Three of the Complaint pursuant to Rule 12 of the Federal Rules of Civil Procedure; and

**PLEASE TAKE FURTHER NOTICE** that in support of this motion, Defendant intends to rely upon the memorandum of law and declaration of counsel submitted herewith.

Respectfully submitted,

**MOUND COTTON WOLLAN  
& GREENGRASS LLP**

Dated: September 2, 2022

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